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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Ramesh R. Sarukkai

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YAHOO C/O MOFO PALO ALTO  
755 PAGE MILL ROAD  
PALO ALTO, CA 94304

EXAMINER

WOZNIAK, JAMES S

ART UNIT

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2626

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/933,956	<b>Applicant(s)</b> SARUKKAI, RAMESH R.	
	<b>Examiner</b> James S. Wozniak	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-25,31 and 34-41 is/are pending in the application.
- 4a) Of the above claim(s) 15-25 and 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/21/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the office action from 8/23/2007, the applicant has submitted an amendment, filed 1/23/2008, amending independent claims 34-35 and 38, while arguing to traverse the art rejection based on the limitation regarding matching a received text string to pre-recorded prompt labels by searching only within the prompt class (*Amendment, Page 9*). Applicant's arguments have been fully considered, however the previous rejection is maintained due to the reasons listed below in the response to arguments.

2. In response to the amendment of claim 34, the examiner has withdrawn the previous objection directed to minor informalities.

### ***Response to Arguments***

3. Applicant's arguments have been fully considered but they are not persuasive for the following reasons:

The applicant first argues that claims 39-41 “were present prior to filing of the Request for Continued Examination (RCE) of May 17, 2007, and even if not entered prior to the RCE, should be pending as a result of the RCE” (*Amendment, Page 8*). The applicant continues to

note that they appear on PAIR. While this may be true the case in a filing of an RCE if no new listing of claims was submitted with the filing, the present case differs from this situation.

The examiner respectfully directs the applicant's attention to the claims filed with the RCE on 5/17/2007. At the top of Page 2, it is noted that "This listing of claims *will replace all prior versions, and listing, of claims in the application*". Thus, it was clear from this statement that the claims filed with the RCE should replace those submitted in the After Final Amendment from 4/11/2007. This listing of claims ends at 38 and does not contain claims 39-41. Also, in the applicant's corresponding remarks (Page 7), it is noted that "new claims 34-38 are added" and "claims 34-38 are currently under consideration". Thus, it is also clear from the applicant's comments that the set of claims submitted with the RCE did not contain claims 39-41. Finally, the final page number of the claims is 6 (faxed page 11/15) and the next page (7) (faxed page 12/15) is the first page of the applicant's comments. Thus, this eliminates the remaining possibility that the claims were intended to be included by the applicant or not received as a result of a fax transmission error. Thus, claims 39-41, which are included in the present amendment, are considered to be newly submitted claims. As a result, the rejection of these newly submitted claims would not constitute a second non-final action and this final rejection is proper.

Now turning to the applicant's arguments directed towards the prior art rejection, the applicant traverses the 35 U.S.C. 103(a) rejection on the grounds that Ladd et al (*U.S. Patent: 6,269,336*) fails to teach matching "the received text string to pre-recorded prompt labels by searching only within the prompt class" (*Amendment, Page 9*).

In response, the examiner notes that this limitation is taught by the combined teachings of Ladd and Uppaluru (*U.S. Patent: 5,915,001*). Ladd teaches variable prompts that are played out to a user, each having variable elements based on a prompt class corresponding to a browser context (*Col. 17, Line 61- Col. 18, Line 40; Col. 37, Line 8- Col. 40, Line 24; Col. 29, Lines 36-57*). Ladd also provides the example of a weather report context, the prompt of which varies based on a selected city. Thus, Ladd teaches the concept of playing a particular prompt within a class based on a selected browser context. The teachings of Ladd do not specifically address similar text strings that are matched to a particularly labeled prompt based on a prompt class. It is the teachings of Uppaluru, however, that anticipates the ability to search for a particular prompt to be played corresponding to one of a set of similar text strings each having a particular class (*Col. 8, Lines 11-25; and Col. 22, Line 32- Col. 23*). Uppaluru more specifically provides the example of a number based prompt. In this example, a text string is matched to a particular prompt label appropriate to its class (*i.e., a number can be read as a character string, money value, date, etc. based on a prompt class value, Col. 8, Lines 11-25; and Col. 22, Line 32- Col. 23*). The teachings of Uppaluru would provide the system taught by Ladd with a means of further specifying how various types of audio data should be presented to a user (*Uppaluru, Col. 8, Lines 11-13*) for the different types of information that Ladd is capable of providing (*Ladd, Col. 2, Lines 48-58*). Thus, the combination of Ladd and Uppaluru teaches the aforementioned claim limitation.

The art rejections of claims 35, 38 and the further dependents are traversed for reasons similar to claim 34. In regards to such arguments, see the above response. Also, newly submitted claims 39-41 (for the above noted reasons), are considered below.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 34-35 and 37-38, and 40-41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al (*U.S. Patent: 6,269,336*) in view of Uppaluru (*U.S. Patent: 5,915,001*).

With respect to **Claim 34**, Ladd discloses:

A database referencing a plurality of audio segments, each audio segment of the plurality associated with an identifier that uniquely identifies that audio segment (*TTS audio file database, each audio file having a unique identifier, Col. 10, Line 58- Col. 11, Line 11; Col. 18, Lines 33-44, and Col. 29, Lines 36-57*);

A prompt audio object for receiving a text string, and determining an audio segment to render for the voice browser by referencing a prompt mapping configuration (*generating an audio announcement, Col. 10, Line 58- Col. 11, Line 11; and generating specific audio prompts based on XML mapping and user voice inputs, Col. 37, Line 8- Col. 40, Line 24; Col. 29, Lines 36-57*);

The prompt mapping configuration comprising a plurality of prompt classes, a plurality of occurrences of a plurality of text strings (*variable prompts corresponding to XML text, each*

*substitutable variable element having a prompt class identifier; example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24),*

Wherein the prompt audio object is configured to receive contextual information about the browsing session, to use the contextual information to determine a prompt class in which to match the received text string to a text string occurrence, and to determine to render the audio segment associated with the matched text string occurrence (*generating specific audio prompts based on XML mapping and user voice browser inputs, Col. 17, Line 61- Col. 18, Line 40; Col. 37, Line 8- Col. 40, Line 24; Col. 29, Lines 36-57*).

Although Ladd teaches a voice browser system that is capable of generating an audio prompt based on a voice browser user input and utilizes a prompt mapping configuration, Ladd does not explicitly teach a prompt mapping configuration having a plurality of occurrences of the same text strings, wherein each of the occurrences of each text string are associated with a prompt class and corresponding audio segment identifier, which is different from the other occurrences of that text string. Uppaluru, however, discloses such a mapping configuration. Uppaluru discloses that instances of the same numerical text sequence or character text sequence are mapped to different audio prompts based on a context for searching for a particular prompt label within a class (*same numerical text spoken differently as money, decimal, date, etc. and same character text spoken differently as a word or spoken sequence of characters, Col. 8, Lines 11-25; and Col. 22, Line 32- Col. 23*).

Ladd and Uppaluru are analogous art because they are from a similar field of endeavor in voice-enabled browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd with the further prompt mapping

scheme taught by Uppaluru in order to provide a further means of specifying how audio data should be presented to a user (*Uppaluru, Col. 8, Lines 11-13*).

With respect to **Claim 35**, Ladd discloses:

Receiving a text string to use in identifying an audio segment to render in the voice browser (*received text corresponding to files in a TTS audio file database, Col. 10, Line 58- Col. 11, Line 11; Col. 18, Lines 33-44, and Col. 29, Lines 36-57*);

Receiving contextual information related to the browsing session (*user voice inputs that define a dialog context in a voice browsing session, Col. 37, Line 8- Col. 40, Line 24; Col. 29, Lines 36-57; Col. 16, Lines 41-57; and Col. 17, Line 45- Col. 18, Line 45*);

Using the contextual information to identify a class of audio segments from a plurality of classes (*variable prompts corresponding to XML text, each substitutable variable element having a prompt class identifier; example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24*);

Identifying an audio segment identifier by searching within the identified class for a text string matching the received text string (*searching variable prompts corresponding to XML text, each substitutable variable element having a prompt class identifier; example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24; and Col. 29, Lines 36-56*);  
and

Obtaining an audio segment based on the identified audio segment identified to render for the voice browser (*generating an audio announcement, Col. 10, Line 58- Col. 11, Line 11*).

Although Ladd teaches a voice browser system that is capable of generating an audio prompt based on a voice browser user input and utilizes a prompt mapping configuration, Ladd



does not explicitly teach a prompt mapping configuration having classes associating an audio segment identifier unique among the plurality of classes with a text string unique within the identified class. Uppaluru, however, discloses such a mapping configuration. Uppaluru discloses that instances of the same numerical text sequence or character text sequence are mapped to different audio prompts based on a context for searching for a particular prompt label within a class (*same numerical text spoken differently as money, decimal, date, etc. and same character text spoken differently as a word or spoken sequence of characters, Col. 8, Lines 11-25; and Col. 22, Line 32- Col. 23*).

Ladd and Uppaluru are analogous art because they are from a similar field of endeavor in voice-enabled browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd with the further prompt mapping scheme taught by Uppaluru in order to provide a further means of specifying how audio data should be presented to a user (*Uppaluru, Col. 8, Lines 11-13*).

With respect to **Claim 37**, Ladd further discloses:

Providing a markup language document comprising a first prompt type element defining a first context and a second prompt type element defining a second context, and wherein the received contextual information is based on a current interpreting context in the markup language document (*markup language documents having first and second context elements, which are changed based on voice browser user inputs, Figs. 7 and 8; and Col. 37, Line 8- Col. 40, Line 24*).

With respect to **Claim 38**, Ladd further discloses:

Providing a markup language document comprising at least two context indicating elements, which each define a browser context (*markup language documents having first and second context elements, which are changed based on voice browser user inputs, Figs. 7 and 8; and Col. 37, Line 8- Col. 40, Line 24*);

In each browser context of the markup language document, providing a text string comprising one or more words, wherein at least one of the portions in each text string is common among the text strings of each browser context, each text string for voice rendering to a voice browser during a browsing session by determining utterances that match words of the text string (*XML text corresponding to multiple variable prompts, having common static portions, each substitutable variable element having a prompt class identifier; example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24; and specific audio identifier corresponding to a text string, Col. 29, Lines 36-56*);

Searching within a text string to utterance mapping configuration, wherein each text string/utterance mapping is associated with a browser context, the search narrowed to search only within text string/utterance mappings associated with the current browser context (*searching implemented to complete variable prompts corresponding to XML text, each substitutable variable searched only with respect to a current browser context; and example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24; and Col. 29, Lines 36-56*); and

Indicating a matching utterance for rendering to a voice browser (*generating an audio announcement, Col. 10, Line 58- Col. 11, Line 11*).

Although Ladd teaches a voice browser system that is capable of generating an audio prompt based on a voice browser user input and utilizes a prompt mapping configuration, Ladd does not explicitly teach a prompt mapping configuration having a plurality of occurrences of specific words in common for different contexts. Uppaluru, however, discloses such a mapping configuration. Uppaluru discloses that instances of the same numerical text sequence or character text sequence are mapped to different audio prompts based on a context for searching for a particular prompt label within a class (*same numerical text spoken differently as money, decimal, date, etc. and same character text spoken differently as a word or spoken sequence of characters, Col. 8, Lines 11-25; and Col. 22, Line 32- Col. 23*).

Ladd and Uppaluru are analogous art because they are from a similar field of endeavor in voice-enabled browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd with the further prompt mapping scheme taught by Uppaluru in order to provide a further means of specifying how audio data should be presented to a user (*Uppaluru, Col. 8, Lines 11-13*).

**Claim 40** contains subject matter similar to claim 37, and thus, is rejected under similar rationale.

**Claim 41** contains subject matter similar to claims 37-38, and thus, is rejected under similar rationale. Also, Uppaluru discloses multiple context tags indexed to voice synthesis files combined into a markup language document (Col. 8, Lines 11-25).

6. **Claims 36 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al in view of Uppaluru and further in view of Saylor et al (*U.S. Patent: 6,501,832*).

With respect to Claim 36, Ladd in view of Uppaluru discloses the method for context-based audio prompts in a voice browser, as applied to Claim 35. Ladd in view of Uppaluru does not specifically suggest additionally selecting an audio advertisement to render based on contextual information, however, Saylor discloses voice advertisement elements indexed to a particular pertinent voice page context (*Col. 14, Lines 46-62; Col. 18, Lines 46-65; Col. 27, Lines 33-56; Col. 36, Line 48- Col. 37, Line 3; and example of indexed voice ad, Col. 38, Line 33- Col. 39, Line 12*).

Ladd, Uppaluru, and Saylor are analogous art because they are from a similar field of endeavor in voice page access using voice browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd in view of Uppaluru with the voice ads taught by Saylor in order to provide a means for revenue generation for voice page providers (*Saylor, Col. 7, Lines 19-24*).

**Claim 39** contains subject matter similar to claim 36, and thus, is rejected under similar rationale.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/James S. Wozniak/  
James S. Wozniak  
Patent Examiner, Art Unit 2626

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/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2626